IN THE CLAIMS

1. (Original) A method of preventing an attack on a screening algorithm, the method comprising the steps of:

identifying content to be downloaded;

determining a total number of sections of a predetermined duration of time in the content to be downloaded; and

screening a predetermined number of sections of the total number of sections to determine whether the predetermined number of sections verify correctly through the screening algorithm wherein the predetermined number of sections is a function of a characteristic of the content.

2. (Original) The method of preventing an attack on a screening algorithm as recited in claim 1 wherein the screening algorithm is a Secure Digital Music Initiative screening algorithm.

3. (Original) The method of preventing an attack on a screening algorithm as recited in claim 1 wherein the screening algorithm relies on a sampling of data contained within the identified content.

4. (Original) The method of preventing an attack on a screening algorithm as recited in claim 1 wherein the identified content is downloaded from the Internet.

5. (Original) The method of preventing an attack on a screening algorithm as recited in claim 1 wherein the predetermined duration of time of one or more of the total number of sections is about fifteen seconds.

6. (Original) The method of preventing an attack on a screening algorithm as recited in claim 1 wherein the number of predetermined sections screened during the screening step is two.

7. (Original) The method of preventing an attack on a screening algorithm as recited in

claim 1 further comprising the step of determining a total length of time of the content prior to the screening step.

8. (Original) The method of preventing an attack on a screening algorithm as recited in claim 1 wherein the predetermined number of sections is equal to two for content having a duration of about three minutes or less.

9. (Original) The method of preventing an attack on a screening algorithm as recited in claim 8 wherein the predetermined number of sections is incremented by one for each one minute of duration over the initial three minutes.

10. (Original) The method of preventing an attack on a screening algorithm as recited in claim 1 wherein the predetermined number of sections to be screened is a function of a duration of time for the content.

11. (Original) The method of preventing an attack on a screening algorithm as recited in claim 1 wherein the predetermined number of sections to be screened is dynamically determined as a function of a desired level of security versus a desired level of performance.

12-13. (Canceled)

14. (Currently amended) An article of manufacture for preventing an attack on a screening algorithm, the article comprising a machine readable medium containing one or more programs which when executed implement the steps of:

identifying content to be downloaded;

determining a total number of sections of a predetermined duration of time in the content to be downloaded; and

screening a predetermined number of sections of the total number of sections to determine whether the predetermined number of sections verify correctly through the screening

algorithm, wherein the number of sections screened is at least one, is less than the total number of sections in the content to be downloaded, and is a generally increasing function of the total number of sections in the content to be downloaded.

15. (Original) The article of manufacture for preventing an attack on a screening algorithm as recited in claim 14 wherein the predetermined duration of time of one or more of the total number of sections is fifteen seconds.

16. (Original) The article of manufacture for preventing an attack on a screening algorithm as recited in claim 14 further comprising the step of determining a total length of time of the content prior to the screening step.

17. (Original) The article of manufacture for preventing an attack on a screening algorithm as recited in claim 14 wherein the predetermined number of sections is equal to two for content having a duration of three minutes or less.

18. (Original) The article of manufacture for preventing an attack on a screening algorithm as recited in claim 14 wherein the predetermined number of sections is incremented by one for each one minute of duration over the initial three minutes.

19. (New) A method comprising:

identifying a set of data to be screened to determine whether it is subject to restrictions on its use, the data being organized into a plurality of sections having a predetermined length;

selecting a subset of the sections in the set of data;

evaluating each section in the subset to determine whether the section contains data indicating that it is subject to restrictions on its use; and

determining whether the set of data is subject to restrictions on its use based on the

results of evaluating each section in the subset,

wherein the subset includes at least one but fewer than all of the sections in the set of data, and the number of sections in the subset is selected as a generally increasing function of the number of sections in the set of data.

20. (New) The method of claim 19, wherein the set of data represents audio and/or video content.

21. (New) The method of claim 19, wherein each section in the subset is evaluated to determine whether the section contains data indicating that it is subject to restrictions on its use by determining whether the section contains a watermark.

22. (New) The method of claim 19, wherein the generally increasing function includes a portion that is constant below a threshold number of sections in the set of data, and a portion that increases above the threshold number of sections in the set of data.